

ARIZONA DEPARTMENT OF VETERANS' SERVICES

INTERNAL MANAGEMENT POLICY 89-10

SUBJECT: SUBSTANCE ABUSE

EFFECTIVE DATE: November 17, 1999 (Supersedes IMP 89-10 - 7/1/96, 10/10/89, 10/17/97, 2/16/98 and 4/1/99)

- 1.0 POLICY: The Arizona Department of Veterans' Services recognizes that its employees are its most important resource. The Agency also recognizes that alcohol and drug abuse are conditions that have an impact on the employee as well as the employer. Recognizing that it is the employee's responsibility to demonstrate satisfactory job performance and that alcoholism and drug abuse may have an adverse effect on job performance, all employees are responsible for maintaining a substance free work environment.
 - 1.1 The unauthorized use, sale, purchase or possession of alcohol or controlled substances at the work-site is prohibited and shall be grounds for discipline, up to and including dismissal.
 - 1.2 The Agency encourages employees to voluntarily seek assistance to treat alcohol and drug abuse. The Department of Administration (DOA) Employee Assistance Program is available on a voluntary basis, as a resource for all employees. Employee Assistance Program staff can be reached at 542-4200.
- 2.0 AUTHORITY: Public Law 100-690 Title V, Subtitle D, 41 USC 701 et seq; A.R.S. § 41-783; A.A.C. R2-5-501.
- 3.0 RESPONSIBILITY: It shall be the responsibility of supervisors at every level to encourage employees to seek assistance when deteriorating or unsatisfactory job performance does not respond to usual supervisory actions, when a specific on-the-job incident is cause for concern, or when declining job performance may be related to personal problems. A supervisor should not attempt to diagnose an employee's problems. The supervisor's role is to monitor job performance.
 - 3.1 Employees may seek the services of the program through self-referral. Nurses are encouraged to contact the Arizona State Board of Nursing CANDO Program for Chemically Dependent Nurses. All employees may seek assistance through the DOA Employee Assistance Program at 542-4200.

3.2 Supervisors may make employee referrals to these programs.

- 4.0 PROCEDURES: Reporting for work under the influence of alcohol or drugs, or any substance which impairs an employee's mental or physical capacity, will not be tolerated. When there are reasonable grounds to believe that an employee is under the influence of alcohol or drugs, the supervisor shall consult with higher management authority and determine whether the employee will be directed to submit to drug screening and blood alcohol tests. If a test is required, management must transport the employee to the laboratory for testing.
- 4.1 Reasonable suspicion would include a combination of various factors such as slurred speech, red eyes, dilated pupils, incoherence, unsteadiness on feet, smell of alcohol or other substance emanating from the employee's body, injury while on the job, inability to carry on a rational conversation, noticeable carelessness, erratic behavior, inability to perform the job, other unexplained behavior changes, etc. These observations will be documented in writing by the supervisor and a copy will be available to the employee upon request.
- 4.2 Refusal to submit to such tests can subject the employee to disciplinary action up to and including dismissal. An employee will not be allowed to operate equipment or drive a motor vehicle when impairment is suspected.
- 4.3 Any employee using medication or prescribed drugs which may impair job performance will report this fact in writing to the immediate supervisor.
- 4.4 The employee's use of a program to treat alcohol or drug abuse does not replace normal disciplinary procedures for unsatisfactory job performance.
- 4.4.1 In and of itself, substance abuse treatment shall not be a basis for discipline nor shall it affect job security or promotional opportunities.
- 4.4.2 Initial contact with the DOA Employee Assistance Program may be scheduled during work hours without loss of sick or annual leave.
- 4.4.3 Confidentiality is assured by the DOA Employee Assistance Program. Employees will have the opportunity to receive competent, professional assistance without any mention of treatment in their personnel files.
- 4.5 Standard leave policies as defined by Department of Administration Personnel Rule will apply for employees who are referred to outside service providers.
- 4.6 Employees referred to outside service providers shall be responsible for

payment of services not covered by selected insurance programs to include payment of appropriate deductibles and required co-payments.

- 4.7 Employees using the DOA Employee Assistance Program are not excused from meeting performance expectations and may face disciplinary actions for unsatisfactory work behaviors.
 - 4.8 Due to the job responsibilities of certain employees, additional specific regulations may be imposed by the supervising authority.
- 5.0 IMPLEMENTATION: This policy shall be implemented without change on the effective date.

Patrick F. Chorpenning, Director

Attachment: Drug-Free Workplace Policy Statement, ADVS 01-079
Employee Acknowledgment - Drug-Free Workplace, ADVS 01-080

ARIZONA DEPARTMENT OF VETERANS' SERVICES DRUG-FREE WORKPLACE POLICY STATEMENT

The unlawful manufacturing, distribution, dispensing, possession or use of a controlled substance is prohibited at all Arizona Department of Veterans' Services (ADVS) workplaces.

These controlled substances as defined in Schedules 1 through 5 of Section 202 of the Controlled Substance Act (21 USC 812) and as further defined by Regulation 21 CFR 1300.11 through 1300.15 include narcotics, barbiturates, benzodiazepine, alcohol or any other mood-altering chemicals which dull the senses, cause drowsiness, induce sleep or impair physical or mental abilities. Workplace is defined as any location where employees work on ADVS business and any state or privately-owned vehicle while used on ADVS business.

It is the policy of the ADVS to take appropriate disciplinary action against the employee or employees involved should such prohibited activity identified above occur in any ADVS workplace. The range of disciplinary action to be taken against the employee or employees involved may include, but are not limited to, suspension, demotion or dismissal from employment.

As a condition of employment by ADVS, employees are required to abide by the terms of this policy and notify their immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace, and must do so not later than five working days after the conviction.

Supervisors receiving notification from an employee that any employee has been convicted of a criminal drug state violation occurring in the workplace, shall notify the Division Administrator and the Director in writing of such conviction as soon as possible but no later than five days after notification.

The Director or his designee will notify in writing the appropriate certifying or licensing boards of such conviction within five days of notification by the supervisor. The Director will take appropriate disciplinary action against the employee within 30 days of such conviction. If disciplinary actions other than dismissal are taken, the employee may be required to participate in a drug-abuse or rehabilitation program approved by the department.

Patrick F. Chorpensing, Director

Date

ADVS 01-079

**ARIZONA DEPARTMENT OF VETERANS' SERVICES
EMPLOYEE ACKNOWLEDGMENT**

Drug-free Workplace Policy Statement

I acknowledge that I have read and understand the department's policy regarding a drug-free workplace. Upon signature, I understand that this document will be placed into my official personnel file.

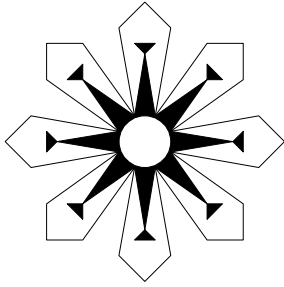
I understand that:

1. I must abide by this policy and that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in any ADVS workplace.
2. I must notify my immediate supervisor of any personal criminal conviction of a drug statute violation in the workplace no later than five days after the conviction.
3. The penalty for failure to abide by this policy and/or failure to report a conviction may result in disciplinary action up to and including dismissal.

Employee Signature

Date

Please Print or Type Your Name Here



IMP 89-10, Substance Abuse

Includes the statement that employees who are suspected of substance abuse will be transported to the lab by management.